

PATENT
Customer No. 22,852
Attorney Docket No. 06843.0028-02000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Tsutomu ARAKAWA et al.) Group Art Unit: 1642
Application No.: 09/994,068) Examiner: Laura B. GODDARD
Filed: November 27, 2001)
For: ANTIBODY-INDUCED) Confirmation No.: 8561
APOPTOSIS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

Assignee Amgen Inc., duly organized under the laws of the State of Delaware and having its principal place of business at One Amgen Center Drive, Thousand Oaks, California, 91320-1799, represents that it is the sole assignee of the entire right, title, and interest in and to the above-identified application, U.S. Patent Application No. 09/994,068, filed November 27, 2001, for ANTIBODY-INDUCED APOPTOSIS in the names of Tsutomu ARAKAWA and Yoshiko KITA, as indicated by an assignment duly recorded in the United States Patent and Trademark Office for parent U.S. Application No. 08/568,072, filed December 5, 1995 (now U.S. Patent No. 5,783,186), at Reel 007933, Frame 0030.

Assignee Amgen Inc., further represents that it is the assignee of the entire right, title, and interest in and to U.S. Patent No. 6,458,356, as indicated by the assignment duly recorded in the United States Patent and Trademark Office for parent U.S.

Application No. 08/568,072, filed December 5, 1995 (now U.S. Patent No. 5,783,186), at Reel 007933, Frame 0030.

To obviate a double patenting rejection, Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on Application No. 09/994,068 that would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer(s), of prior U.S. Patent No. 6,458,356. Assignee hereby agrees that any patent so granted on the present application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the present application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, the assignee does not disclaim the terminal part of any patent granted on U.S. Patent Application No. 09/994,068, that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of U.S. Patent No. 6,458,356, as presently shortened by any terminal disclaimer, in the event that U.S. Patent No. 6,458,356 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term, as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$130.00 is being filed with this disclaimer.

Attorney Docket No. 06843.0028-02000
Application No.: 09/994,068

If there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to Deposit Account No. 06-0916. If any further fee and/or petition is required for an extension of time under 37 C.F.R. § 1.136 and is not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916.

The undersigned is authorized to act on behalf of assignee, Amgen Inc.

I hereby declare that all statements made of my own knowledge and belief are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date: SEPTEMBER 26, 2007

Signed: 

By: ROBERT D. WINTEN

Company: Amgen Inc.

Title: PATENTS DIR